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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: KMT
DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

June 2008 Grand Jury

08 CR 2428

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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
							UNITED STATES OF AMERICA,)	Criminal Case No. _____					
							Plaintiff,)						
							v.	)	<u>I N D I C T M E N T</u>					
							VICENTE MANUEL AGUIRRE,	)	Title 31, U.S.C.,					
							Defendant.	)	Secs. 5316(a)(1)(A) and					
								)	5324(c)(1) - Failure to File					
								)	Reports on Exporting Monetary					
								)	Instruments; Title 31, U.S.C.,					
								)	Sec. 5332(a) - Bulk Cash					
								)	Smuggling; Title 18, U.S.C.,					
								)	Sec. 1001 - False Statement;					
								)	Title 31, U.S.C., Secs. 5316					
								)	and 5317(c)(1), 5332(a)(1), (b)(2)					
								)	and (c)(3) - Criminal Forfeiture					

The grand jury charges:

Count 1

On or about June 25, 2008, within the Southern District of California, defendant VICENTE MANUEL AGUIRRE, knowingly and with intent to evade the reporting requirements of Title 31, United States Code, Section 5316, did transport and was about to transport more than \$10,000 in monetary instruments, to wit, approximately \$273,940.00 in U.S. currency, at one time, from a place in the United States to or through a place outside the United States, to wit, the Republic of Mexico, without filing the report required by Section 5316; in violation of Title 31, United States Code, Sections 5316(a)(1)(A) and 5324(c)(1), and Title 31, Code of Federal Regulations, Section 103.23(a).

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Count 2

On or about June 25, 2008, within the Southern District of California, defendant VICENTE MANUEL AGUIRRE, with the intent to evade a currency reporting requirement under Title 31, United States Code, Section 5316, did knowingly and intentionally conceal more than \$10,000 in United States currency, to wit, a total of approximately \$273,940.00 in U.S. currency, concealed in a vehicle, to wit, a 1999 Cadillac El dorado, and transported, transferred or attempted to transport or transfer such currency from a place within the United States to a place outside the United States, to wit, the Republic of Mexico; in violation of Title 31, United States Code, Section 5332(a).

Count 3

On or about June 25, 2008, within the Southern District of California, defendant VICENTE MANUEL AGUIRRE, in a matter within the jurisdiction of the Department of Homeland Security, Bureau of Customs and Border Protection, Department of the Treasury, a department and agency of the United States, did knowingly and willfully make a false, fictitious and fraudulent statement and representation as to a material fact in that he did represent and state to Department of Homeland Security, Bureau of Customs and Border Protection Inspector J. Osuna that he was not carrying more than \$10,000 in U.S. currency, checks, or money orders, whereas in truth and fact, as defendant then and there well knew, that statement and representation was false, fictitious and fraudulent when made; in violation of Title 18, United States Code, Section 1001.

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FORFEITURE ALLEGATIONS

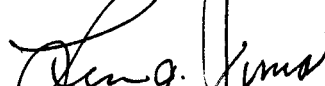
1. The allegations contained in Counts 1 and 2 are realleged and by reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America.

2. Upon conviction of the offense alleged in Count 1, defendant VICENTE MANUEL AGUIRRE shall forfeit to the United States all property, real and personal, involved in said offense and all property traceable to such property, including but not limited to, the 1999 Cadillac El dorado, vin number 1G6ET1295XU606138, bearing California license plate number 6CFH471, and \$273,940.00 in United States currency; all in violation of Title 31, United States Code, Sections 5316 and 5317(c)(1).

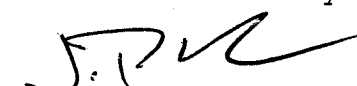
3. Upon conviction of the offense alleged in Count 2, defendant VICENTE MANUEL AGUIRRE, shall forfeit to the United States all property, real and personal, involved in said offense and all property traceable to such property, including but not limited to, the 1999 Cadillac El dorado, vin number 1G6ET1295XU606138, bearing California license plate number 6CFH471, and \$273,940.00 in United States currency; all in violation of Title 31, United States Code, Sections 5332(a)(1), (b)(2) and (c)(3).

DATED: July 23, 2008.

A TRUE BILL:


Foreperson

KAREN P. HEWITT
United States Attorney

By: 
JAMES P. MELENDRES
Assistant U.S. Attorney